

UPDATES AND LATE REPRESENTATIONS FOR COMMITTEE

Committee Date: 29 July 2021

Planning application no. SL/2021/0101

Kendal Rugby Union Football Club,
Mint Bridge, Shap Road, Kendal

1.0 Committee referral

- 1.1. This application has been 'called in' to Planning Committee by Cllr Archibald due to the proposal's potential impact on the amenity of neighbouring residents.

2.0 Updates

The National Planning Policy Framework

- 2.1. On 20 July 2021 the government published an updated version of the National Planning Policy Framework (NPPF). In essence this has strengthened requirements on design quality and the use of trees in new developments, as well as presenting revised policies on plan-making, removing statues and opting out of permitted development rights. The NPPF remains a key material consideration in the determination of all planning applications.
- 2.2. None of the updates in the 2021 version of the NPPF has a material impact on the recommendation for the current application, although some of the paragraph numbers in the NPPF referred to in the officers' report have now been altered. The updated cross-references are listed below:

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| 2019 National Planning Policy Framework Para 127 | 2021 National Planning Policy Framework Para 130 |
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3.0 Representations

Agent Representations

- 3.1. On the 27/07/2021 the following was received by the agent regarding proposed Condition 11:
- 3.2. *“We are satisfied that all but one of the conditions suggested on this application meet the necessary tests. The condition we do not consider meets the relevant tests is condition 11.*

Condition 11 states that the development must be carried out in accordance with the Noise Management Plan, however the Management Plan relates solely to the seasonal camping use, not the wider use of the site. We would question whether this condition is necessary, given that the change of use application includes a condition requiring the camping use to take place in accordance with the Noise Management Plan. However, if the Council consider that the condition is necessary, it should be amended to make clear that the Noise Management Plan only relates to the seasonal camping use, and not to the wider use of the site”.

- 3.3. Based on the above it is considered reasonable that Condition 11 be amended to specifically refer to the seasonal camping use.
- 3.4. It is recommended that Condition 11 be amended to the following:

Condition (11) The seasonal camping use shall be conducted in accordance with the approved Noise Management Plan (date received 17/05/2021).